

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

DEC 28 2001

OFFICE OF  
MANAGING DIRECTOR

Ms. Rhonda L. Neil  
Brown Nietert & Kaufman, Chartered.  
1920 N Street, N.W., Suite 660  
Washington, D.C. 20036

Re: Request for Deferment of FY 2001  
Regulatory Fee  
Fee Control No. 0110168835306002

Dear Ms. Neil:

This responds to your request for deferment of the Fiscal Year (FY) 2001 regulatory fee of \$450 for MDS Station WLW927, Victoria, Texas, licensed to Friendly Community Television Service (Friendly).

You state that Friendly has a lease agreement with United States Wireless Systems, Inc. (US Wireless) pursuant to which US Wireless operates Station WLW927 and pays the station's regulatory fees. You recite that US Wireless filed for Chapter 11 bankruptcy protection on October 27, 2000, and a Chapter 11 Trustee was appointed on March 12, 2001. The Trustee has filed a request for deferment of regulatory fees for certain MDS stations, including Station WLW927, that are either owned by US Wireless or leased to it. Although Friendly paid the FY 2001 fee for Station WLW927, you request deferment and refund of the fee for the reasons set forth in the Trustee's request for deferment.

The Commission will grant waivers of its regulatory fees on a sufficient showing of financial hardship. Evidence of bankruptcy or receivership is sufficient to establish financial hardship. See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12761-62 (1995) (waivers granted for licensees whose stations are bankrupt, undergoing Chapter 11 reorganization, or in receivership).


In a companion letter in response to the Trustee's request for deferment, based on the bankruptcy proceeding involving US Wireless, we have waived payment of the FY 2001 regulatory fees for the MDS stations licensed to US Wireless. As we state in that letter, however, the Chapter 11 status of US Wireless does not impact on the ability of licensees such as Friendly, who lease their MDS stations to US Wireless, to pay their regulatory fees. Nor does the private lease agreement between Friendly and US Wireless establish good cause for waiver or deferment. Accordingly, your request for deferment and refund of the fee is denied.

Ms. Rhonda L. Neil

2.

If you have any questions concerning this letter, please contact the Revenue and Receivable Operation Group at (202) 418-1995.

Sincerely,



for Mark A. Reger  
Chief Financial Officer

ORIGINAL

LAW OFFICES  
**BROWN NIETERT & KAUFMAN, CHARTERED**  
SUITE 660  
1920 N STREET, N.W.  
WASHINGTON, D.C. 20036  
TEL (202) 887-0600  
FAX (202) 457-0126

September 26, 2001

RECEIVED

Office of the Managing Director  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Room 1-A625  
Washington, DC 20554  
Attn: Regulatory Fee Waiver/Reduction Request

SEP 26 2001

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

DF9

Re: MDS Station WLW927, Victoria, Texas  
Request for Deferment of Regulatory Fee

Dear Sir/Madam:

Friendly Community Television Service ("Friendly"), licensee of MDS Station WLW927 in Victoria, Texas, by its attorneys, hereby requests that the 2001 Regulatory Fee for Station WLW927 be deferred.

Friendly has a lease agreement with United States Wireless Systems, Inc. ("US Wireless") which has been leasing Station WLW927 since 1995. Pursuant to the lease agreement, US Wireless is obligated to make monthly lease fee payments to Friendly and to make regulatory fee payments to the FCC for Station WLW927. In return, US Wireless has the right to operate the Station as part of its system in Victoria.

US Wireless filed for Chapter 11 bankruptcy protection on October 27, 200 and a Chapter 11 Trustee ("Trustee") was appointed on March 12, 2001. In a letter to Magalie Roman Salas dated September 18, 2001, counsel for the Trustee requested deferment of Annual Regulatory Fees for 2001 for certain MDS stations, including Station WLW927 in Victoria. The Trustee indicates that he is making every effort to conserve the resources of the estate and find a buyer for US Wireless' assets. That buyer will then be obligated to pay the applicable regulatory fees.

Although Friendly timely paid the 2001 Regulatory Fee for Station WLW927 on September 26, 2001, a copy of which is attached, Friendly is also requesting deferment of the 2001 Regulatory Fee for Station WLW927 based upon the reasons set forth in the September 18, 2001 letter from the Trustee. If the Commission grants the Trustee's request for deferment, Friendly asks that its 2001 Regulatory Fee payment for Station WLW927 be refunded.

If there are any questions concerning this matter, please contact the undersigned.

Sincerely,

*Rhonda L. Neil*  
Rhonda L. Neil

cc: Claudette E. Pride, OMD  
Stephen Svab, Esq. MDS Section  
Friendly Community Television Service

ACCOUNT PROCESSING  
GROUP-DPT/RPT/INT

2001 SEP 27 P 3:27

RECEIVED  
FCC

READ INSTRUCTIONS COMPLETELY BEFORE PROCEEDING		FEDERAL COMMUNICATIONS COMMISSION REMITTANCE ADVICE		APPROVED BY OMB 3045-0048	
(1) LOCKBOX # 358835		PAGE NO. 1 OF 1		SPECIAL USE FCC USE ONLY	
SECTION A - PAYER INFORMATION				(3) TOTAL AMOUNT PAID (dollars and cents) \$450.00	
(2) PAYER NAME (If paying by credit card, enter name exactly as it appears on your card) Friendly Community Television Service					
(4) STREET ADDRESS LINE NO. 1 P.O. Box 632					
(5) STREET ADDRESS LINE NO. 2 Palmer Road					
(6) CITY Cuero		(7) STATE TX		(8) ZIP CODE 77954	
(9) DAYTIME TELEPHONE NUMBER (include area code) 361-275-8200		(10) COUNTRY CODE (if not in U.S.A.)			
IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)					
SECTION B - APPLICANT INFORMATION					
(11) APPLICANT NAME (If paying by credit card, enter name exactly as it appears on your card)					
(12) STREET ADDRESS LINE NO. 1					
(13) STREET ADDRESS LINE NO. 2					
(14) CITY		(15) STATE		(16) ZIP CODE	
(17) DAYTIME TELEPHONE NUMBER (include area code)		(18) COUNTRY CODE (if not in U.S.A.)			
COMPLETE SECTION C FOR EACH SERVICE. IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEETS (FORM 159-C)					
SECTION C - PAYMENT INFORMATION					
(19A) FCC CALL SIGN/MOTHER ID WLW927		(20A) PAYMENT TYPE CODE (PTC) C J M		(21A) QUANTITY 1	
(23A) FCC CODE 1		(24A) FCC CODE 2		(22A) FEE DUE FOR (PTC) IN BLOCK 20A \$450.00	
(19B) FCC CALL SIGN/MOTHER ID		(20B) PAYMENT TYPE CODE (PTC)		(21B) QUANTITY	
(23B) FCC CODE 1		(24B) FCC CODE 2		(22B) FEE DUE FOR (PTC) IN BLOCK 20B	
(19C) FCC CALL SIGN/MOTHER ID		(20C) PAYMENT TYPE CODE (PTC)		(21C) QUANTITY	
(23C) FCC CODE 1		(24C) FCC CODE 2		(22C) FEE DUE FOR (PTC) IN BLOCK 20C	
(19D) FCC CALL SIGN/MOTHER ID		(20D) PAYMENT TYPE CODE (PTC)		(21D) QUANTITY	
(23D) FCC CODE 1		(24D) FCC CODE 2		(22D) FEE DUE FOR (PTC) IN BLOCK 20D	
SECTION D - TAXPAYER INFORMATION (REQUIRED)					
(25) COMPLETE THIS BLOCK ONLY IF APPLICANT NAME IS DIFFERENT FROM PAYER NAME IN A-1					
(26) PAYER TIN 0742792552		(27) APPLICANT TIN			
SECTION E - CERTIFICATION					
(28) CERTIFICATION STATEMENT I, EARL STEWART, Certify under penalty of perjury that the foregoing and supporting information are true and correct to the best of my knowledge, information and belief. SIGNATURE Earl Stewart					
SECTION F - CREDIT CARD PAYMENT INFORMATION					
(29) MASTERCARD/VISA ACCOUNT NUMBER					
MASTERCARD		VISA		EXPIRATION DATE	
I hereby authorize the FCC to charge my VISA or MASTERCARD for the services (notwithstanding) herein described.		AUTHORIZED SIGNATURE		DATE	
SEE PUBLIC BURDEN ESTIMATE ON REVERSE					
FCC FORM 159 JULY 1997 (REVISED)					

**RECEIVED**

SEP 26 2001

COMMERCE COMMISSION  
OFFICE OF THE SECRETARY

## Payment Search Detail

Account Number	Payor Name	Payment Am	Coverage Am
011016883500000	STK WCTV BROADCASTING	\$610.00	\$0.00
011016883500002	FRIENDLY COMMUNITY TELE	\$450.00	\$0.00
011016883500004	STK WCTV BROADCASTING	\$1,595.00	\$0.00
011016883500006	STK WCTV BROADCASTING	\$30.00	\$0.00
011016883500008	STK WCTV BROADCASTING	\$10,365.00	\$0.00
011016883500010	STK WCTV BROADCASTING	\$335.00	\$0.00

Sequence	Cont	Payment Exp Date	Payment Amount	Non Cont	Call Sign Other ID	Trs Supp Symbol
1	1	10/01	\$450.00	PMI	W59927	27X6088

## Credit Card Info

Payor Info

Bad Check Info

Change Info

Access ID

☒ Show NSF  
Information

Move to Unapplied

FCC Code Info

Applicant Info

Treasury Info

Modify Payment

Sign